IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MRS JUSTICE T.MEENA KUMARI

WRIT PETITION NO : 24709 of 1995

Between:

1 V.SREERAMA CHANDFRA MURTHY S/O.KAMARAJU
R/O.YELESWARAM E.G.DISTRICT.
2 V.VENKATESWARARAO S/O.KAMARAJU
R/O.YELESWARAM E.G.DISTRICT.

..... PETITIONERS

AND

1 AGENT TO GOVERNMENT, KAKINADA.
2 DY. COLLECTOR TRIBAL WELFARE
RAMPACHODAVARAM, E.G.DISTRICT.
3 MANDAL REVENUE OFFICER,

ADDATEEGELA MANDALAM, E.G.DIST.
4 MUNAGARU BABURAO S/O.SAMBAIAH
GONDOLU VILLAGE, ADDATEEGELA MANDALAM, E.G.DIST.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to call for the records relating to LTRP.50/90 on the file of R2 and confirmed by R1 in CMA.49/91 and issue writ of Certiorari or any other appropriate writ, order, or direction, quashing the orders of the R1 made in CMA.no.49/91 confirming the orders of the R2 made in LTRP.No.50/90.

Counsel for the Petitioners: MR.M.LAKSHMANA SARMA

Counsel for the Respondents 1 to 3 : GP FOR REVENUE

The Court made the following :

***ORAL ORDER*:**

Petitioners state in their petition that they are the owners of the land to an extent of Ac.1.36 cents in R.S. No. 9/9 and Ac.0.71 cents in R.S. No. 10/2 totaling to Ac.2.07 cents of Gondolu village of Addateegala Mandal in East Godavari District. But the respondents 3 and 4 herein filed LTRP 50 of 90, before the 2nd respondent alleging that there was prohibited transfer and sought for the eviction of the petitioners from the land which is in their possession.

It is their grievance that the 2nd respondent ordered for eviction of the petitioners from the land in question and on appeal, the 1st respondent herein also confirmed the orders of the 2nd respondent.

However, today, when the matter is taken up for hearing, learned counsel for the petitioners seeks leave of this Court to withdraw the writ petition since an alternative remedy is available to the petitioners to represent the matter before the Secretary for Tribal Welfare Department as per Section 6 of The A.P Scheduled Areas Land Transfer Rules 1/59.

Therefore, having regard to the above submission, without going into the merits of the case, the writ petition is dismissed as withdrawn,

giving liberty to the petitioners to avail the alternative remedy available to them, as per Rules. No costs.

Kvsn 09-12-2004

To

1 AGENT TO GOVERNMENT, KAKINADA.
2 DY. COLLECTOR TRIBAL WELFARE
RAMPACHODAVARAM, E.G.DISTRICT.
3 MANDAL REVENUE OFFICER,
ADDATEEGELA MANDALAM, E.G.DIST.

4 Two CCs to G.P. for Revenue, High Court Buildings, Hyderabad.

5 Two CD copies.